Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 796 OF 2000
WITH
CHAMBER SUMMONS (L) NO. 164 OF 2015

Shri Mukesh Mody …Petitioner
Versus
P. Dilip Raj …Respondent

Mr. P. Desai, *i/b R. G. Singh, for the Petitioner.*
Mr. A. A. Garge, *for the Applicants.*

CORAM: G.S. PATEL, J
DATED: 21st October 2015

PC:-

1. The Petition was dismissed for default in 2004. By consent and on the oral application of the parties, it is restored to file and forthwith taken up for hearing and final disposal.

2. This Chamber Summons is filed by the Defendant. The Petitioner, the executor, is admittedly not one of the beneficiaries under the Will in question. He was the deceased's Chartered Accountant. The Defendant, a beneficiary, has entered into Consent Terms or a compromise with all the other beneficiaries and

this Chamber Summons is for leave to take on record those Consent Terms and have the Petition disposed of accordingly. The Defendant is personally present in Court. Annexed to the Affidavit in Support are the consent Affidavits of the other beneficiaries.

3. In view of these Affidavits and statements made in the Affidavit in Support of the Chamber Summons, the Chamber Summons is made absolute in terms of prayer clause (a).

4. The probate petition is, therefore, disposed of in accordance with the Consent Terms.

(G. S. PATEL, J.)